



Fw: EPA-VA WIP Mtg - Oct 15 Summary

Jeffrey Corbin to: Ann Carkhuff, shenk.kelly, mdubin, Hank Zygmunt, David McGuigan, Jennifer Molloy, Lucinda Power, Patricia Gleason,

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History: This message has been forwarded.

Folks - Thanks for everyone's help this morning with the call. Below is the follow-up email I sent to VA. Please note the follow-up actions that we agreed to (Input Deck, James Rver, Ag). We need to make sure we get them what we committed to for next week.

As Confucius said "A journey of a thousand miles begins with a single step." Hopefully we won't need 999 more phone calls...but I hope you get the point :+)

Thanks...jc

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----- Forwarded by Jeffrey Corbin/R3/USEPA/US on 10/15/2010 04:26 PM -----

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Date: 10/15/2010 04:18 PM
Subject: EPA-VA WIP Mtg - Oct 15 Summary

Anthony - Thank you for you and so many DEQ and DCR staff taking the time to participate in this morning's call...I feel that it was very productive.

It is critical that we talk frequently, share information, and keep the dialogue and WIP revision process progressing. If we need to have issue-specific meetings in addition to the scheduled weekly meetings we will make that happen. We need to use our weekly discussions to make sure that both sides are exchanging necessary information and in a timely manner.

Our next call is scheduled for Friday 10/22 at 8:30

To ensure that we are communicating clearly, below are some summary points and follow-up actions from the call.

Input Deck Issues

- EPA still needs revised #s from the state regarding stormwater - Jeff Sweeney will work with VA staff to get info on a % basis.
- Delivery Factors - Clarifying info was provided to VA earlier this week.
- CSO modelling - EPA/state contacts are in place but more discussion is needed. A separate call will be arranged for early next week so the group can hopefully resolve this issue on next Friday's call.

Follow-Up Action: CSO call before next Friday; Input Deck info exchange before next Friday (Jeff Sweeney)

Trading/Offsets

- VA acknowledges that more clarification is needed in the final WIP especially with regards to contingencies (if the trading program is not successfully expanded) and how permits will be written.
- Next Friday we will devote an hour to this discussion - Rob Wood & Kevin DeBell to lead.
- In order to approve stormwater trading, EPA will need a clearly defined baseline, implementation requirements, enforceable provisions, etc. - more discussion on this issue is needed.
- DEQ voiced concern that the draft TMDL does not sufficiently acknowledge the VA Credit Exchange Program or that EPA's position is to ensure that the TMDL does damage current trading programs. We agreed to include clarifying language in the final TMDL.

Follow-Up Action: None. 1 hour of next week's call will focus on trading.

James River

- VA is still very interested in a "Time Bridge" so some POTW upgrades can be performed post-2017. The current 5-year general permit cycle and state reg requirements do not allow such flexibility.
- EPA will provide VA with information regarding possible time bridge options we are exploring. Jeff Corbin will work with Jon Capacasa to develop an options paper, if not by next Friday, as soon thereafter as possible.
- The final TMDL must be based on current Water Quality Standards. The WIP needs to include a proposed contingency plan for POTW upgrades if the James River chlorophyll study does not result in changes to the standards or allocations.
- VA proposed that a separate meeting to discuss James options may be needed.
- VA is exploring options to achieve additional reductions prior to 2017 through optimization or possibly even upgrading an additional facility.
- It was also suggested that a separate off-line call may be needed to discuss specific wastewater issues.

Follow-Up Action: Provide time bridge options for discussion to VA (Corbin/Capacasa); Possibility of separate James River conference call; Possibility of separate call on wastewater

Stormwater

- EPA's current position is that Reasonable Assurance for VA's proposed stormwater reductions (E3) is not adequate.
- There is a major disconnect between what the input deck includes (E3 level of effort) and what the text of the WIP describes (i.e. what DCR plans to include in the MS4 permits as requirements...much less than E3...level 2 scoping runs). It was stated that the difference between the two approaches will be achieved via trading. VA acknowledged that greater detail is needed in the final WIP.

Follow-Up Action: None at this time. Further discussion on future calls.

Agriculture

- A general discussion occurred regarding the lack of reasonable assurance for ag

implementation in the draft WIP.

- DCR acknowledged that internal discussions have already been occurring and more are planned.
- DCR asked what other states have proposed - we agreed to provide additional info. A separate face-to-face meeting might be warranted on this issue.
- VA asked for assistance/clarification with regards to how federal funding can be better utilized. Kelly Shenk noted that she and Larry Ellworth (Senior Advisor to the Administrator on Agriculture) are working to set up meetings in each state with NR and Ag agencies as well as state conservationists to address federal funding opportunities.

Follow-Up Action: Provide DCR with additional info on reasonable assurance components in other states; Schedule federal funding discussion with VA (Shenk)

Septic

- EPA raised the concern that reductions from on-site treatment systems, as proposed in the draft WIP, will not occur absent an additional driver/requirement. DEQ is working with the Dept. of Health on revisions to the septic regulations. Public comment period will start soon.

Follow-Up Action: None at this time. Further discussion on future calls.

Thanks...jc

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